



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
PERMIT APPLICATION FOR INDUSTRIAL MINERAL MINES

P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL <del>KLIETHERMES EXCAVATING, LLC</del> <b>CARL KLIETHERMES</b>		DATE <b>MAY 18, 2004</b>	
ADDRESS <b>77 County Rd 402</b>		CITY <b>LOOSE CREEK</b>	STATE <b>MO</b>
CONTACT PERSON <b>CARL KLIETHERMES</b>		TELEPHONE NUMBER <b>573-659-1182</b>	

CHECK ANY THAT APPLY:

☒ New Permit    ☐ Permit Amendment    ☐ Permit Revision    ☐ Permit Expansion

SITE NAME OR NUMBER	ACREAGE	LOCATION:
		COUNTY, SECTION, TOWNSHIP, RANGE (EAST OR WEST)
1. <b>SITE # 1</b>	<b>3</b>	<b>S-13, T-43N, R-10W OSAGE</b>
2. <b>SITE # 2</b>	<b>20</b>	<b>S-12+13, T43N R10W, S7+B T43N R9N OSAGE</b>
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RECEIVED

MAY 24 2004

MISSOURI LAND  
RECLAMATION COMMISSION

ATTACH ADDITIONAL SHEETS IF NECESSARY

SIGNATURE OF APPLICANT <i>Carl Kliethermes</i>		TITLE <b>OWNER</b>	DATE <b>5/18/04</b>
Appeared before me this <b>MAY</b> day of <b>2004</b> , <b>CARL KLIETHERMES</b> to me personally known, who executed the above as their free acts and deeds.			
NOTARY PUBLIC EMBOSSE	STATE <b>Missouri</b>	COUNTY (OR CITY OF ST. LOUIS) <b>Cole</b>	
	SUBSCRIBED AND SWORN BEFORE ME, THIS <b>24<sup>th</sup></b> DAY OF <b>may</b> YEAR <b>2004</b>		
	NOTARY PUBLIC SIGNATURE <i>Priscilla A. Hoelscher</i>	MY COMMISSION EXPIRES <b>Dec. 3, 2005</b>	USE RUBBER STAMP IN CLEAR AREA BELOW
	NOTARY PUBLIC NAME (TYPED OR PRINTED) <b>Priscilla A. Hoelscher</b>		
FOR DEPARTMENT USE ONLY: APPROVED BY <i>[Signature]</i>		DATE APPROVED <b>5-24-04</b>	PERMIT NUMBER <b>59473</b>
		EXPIRATION DATE	

MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
**PERMIT APPLICATION FOR INDUSTRIAL MINERAL MINES  
FEES AND BONDING WORKSHEET**

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NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL

~~MISSOURI LAND  
RECLAMATION COMMISSION~~

MAY 18, 2004

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL  
KLEITHERMEZ EXCAVATING, LLC

**FEES: COMPLETE SECTION I OR SECTION II.**

**SECTION I. FEES: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:**

**1. To compute the site fee complete the columns and lines below:**

N/A

SITE NAME OR NUMBER (Add a separate sheet for additional sites.)	Mark each month that the site will be operated during the Permit Year	For sites operated less than six months per permit year pay \$150  For sites operated six months or more per permit year pay \$300
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
	TOTAL SITE FEE ►	\$

2. Acreage fee \$5 X Number of acres bonded ..... \$\_\_\_\_\_

**3. Annual permit fee..... \$ 500**

**4. Total Fee (Add Totals from 1, 2 and 3)..... \$ \_\_\_\_\_**

**NOTE: If Total Fee exceeds \$2,500.00 then pay only . . . . . \$ 2,500**

**SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:**

1. Annual permit fee..... (\$ 300 ✓)

### III. BONDING - for all except in-stream mine sites:

**A. For sand and gravel operators mining less than 5,000 tons/year:**

Number of new acres X \$500 per acre . . . . . \$ \_\_\_\_\_

B. For **ALL** other open pit operations:

Minimum per permit ..... **\$ 8,000**

Acreage over eight acres \_\_\_\_\_ X \$500 per acre ..... \$

TOTAL BONDING REQUIRED ..... \$

☐ Check here if adequate bonding is already posted.



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
SITE INFORMATION

RECEIVED

MAY 24 2004

P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

Complete this form for each separate area of disturbance associated with mining operations.			MISSOURI LAND RECLAMATION COMMISSION
SITE NAME OR NUMBER <b>SITE 1</b>		PERMIT NUMBER <b>0943</b>	
COMPANY <b>CARL KLIETHERMES</b> <del>KLIETHERMES EXCAVATING, LLC</del>			
COUNTY <b>OSAGE</b>	1/4 SECTION <b>NE</b>	SECTION <b>13</b>	
TOWNSHIP <b>43N</b>	RANGE <b>10W</b>	ACRES <b>3</b>	
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) <b>MARIES RIVER</b>			
MINERAL COMMODITY <b>SAND AND GRAVEL</b>		ESTIMATED TONS/YEAR (GRAVEL SITES) <b>LESS THAN 5,000 TONS PER YEAR</b>	

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) <b>MARGRET KLIETHERMES</b>		
ADDRESS <b>COUNTY RD 608</b>		
CITY <b>LOOSE CREEK</b>	STATE <b>MO.</b>	ZIP CODE <b>65054</b>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT <b>MAY 2004</b>
<input checked="" type="checkbox"/> LEASE <input checked="" type="checkbox"/> VERBAL <b>CK</b>		

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) <b>SAME AS LANDOWNER</b>		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL		

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
SITE INFORMATION

P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

Complete this form for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER <b>SITE 2</b>		PERMIT NUMBER <b>0943</b>
COMPANY <b>CARL KIEHNER'S</b> <del>KIEHNER'S EXCAVATING, ETC</del>		
COUNTY <b>OSAGE</b>	1/4 SECTION	SECTION <b>5</b> <b>12/13 7+8</b>
TOWNSHIP <b>43 N</b>	RANGE <b>9 + 10 W</b>	ACRES <b>20</b>
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) <b>BRUSH CREEK</b>		
MINERAL COMMODITY <b>SAND AND GRAVEL</b>		ESTIMATED TONS/YEAR (GRAVEL SITES) <b>LESS THAN 5,000 TONS PER YEAR</b>

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) <b>Jim WILBERS</b>		
ADDRESS <b>COUNTY Rd 603</b>		
CITY <b>LOOSE CREEK</b>	STATE <b>Mo.</b>	ZIP CODE <b>65054</b>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT <b>MAY 2004</b>
<input checked="" type="checkbox"/> LEASE <input checked="" type="checkbox"/> VERBAL <b>CK</b>		

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) <b>SAME AS LANDOWNER</b>		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL		

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
STREAM PROTECTION PLAN - 10 CSR 40-10.020(2)(D)4

P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

TYPE OF PLAN ☐ SHORT TERM, FOR ONE PERMIT YEAR  
(CHECK ONE): ☒ LONG TERM, FOR PERIOD THROUGH DATE: COMPANY NAME CARL KLIEMERMEYER  
KLIEMERMEYER EXCAVATING, LLC

DESCRIPTION OF STREAM CONDITION PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING BANK CONDITION, BANK VEGETATION AND WATER QUALITY.

THE SAND AND GRAVEL REMOVAL AREAS INVOLVES 23 ACRES OF GRAVEL IN BRUSCH CREEK AND THE MARIES RIVER. THE BANKS ARE VEGETATED WITH SOME EROSION. WATER QUALITY IN THE CREEK AND RIVER IN GOOD TO EXCELLENT. THE EXPOSED PORTION OF GRAVEL THAT I INTEND TO MINE IS LOOSELY PACKED AND CONTAINS NO PERMIT VEGETATION. THERE IS ALREADY AN ACCESS ROAD TO THE GRAVEL BAR. SEE PICTURES

DESCRIBE METHODS TO RESTRICT DAMAGE TO STREAM BANKS OR STREAM BANK VEGETATION.

SITE # 1 EXCAVATIONS BETWEEN THE STREAM BANKS WILL BE MANAGED SUCH THAT WATER FLOWS NOT REDIRECTED TOWARD THE STREAM BANKS. AN UNDISTURBED BUFFER OF 10 FEET WILL BE MAINTAINED BETWEEN THE GRAVEL AND PERMANENT VEGETATION.

SITE # 2

WILL ONLY OPERATE WHEN THERE IS NO FLOWING WATER IN BRUSCH CREEK. THERE WILL BE NO DAMAGE TO THE PERMANENT VEGETATION ON STREAM BANKS OF SITE 1 & SITE 2

DESCRIBE METHODS USED TO MINIMIZE IMPACTS ON THE STREAM ENVIRONMENTS, CONFINING ACTIVE MINING OPERATIONS TO THE GRAVEL BARS RATHER THAN FLOWING WATER AND RESTRICTING HAUL ROADS THROUGH FLOWING WATER.

SITE 1  
Gravel removal will be restricted to the exposed portions of the gravel bar. We will shave off the top of the gravel bar to a depth no deeper than the normal water level. If water is noticed in the tracks of our equipment we will not remove gravel any deeper. This will avoid causing erosion of the stream bank and channel at the mining site and upstream (head-cutting). Although we must cross the stream to access the gravel bar there is already an existing crossing area that other vehicles also use. CK

SITE 2 - GRAVEL REMOVAL WILL BE RESTRICTED TO 18 INCHES OF NO WATER FLOW (DRY CREEK). WILL NOT BE DEEPER THAN THE LOWEST POINT OF A NATURALLY OCCURRING LOW SPOT WITHIN A GIVEN REACH OF STREAM. IF WATER IS NOTICED WE WILL MOVE TO ANOTHER PORTION OF THE DEPOSIT

PERMIT NUMBER

0943

SITE NUMBER AND/OR NAME

SITE 1 + 2

DESCRIBE METHODS USED TO PROTECT WATER QUALITY, SUCH AS INSTALLING EROSION CONTROL DEVICES OR OTHER INFORMATION.

GRAVEL REMOVAL will BE RESTRICTED TO PERIODS OF LOW FLOW.  
THERE WILL BE NO DESTRUCTION OF STREAM SIDE VEGETATION.  
A BUFFER STRIP OF GRAVEL WILL BE LEFT BETWEEN THE EXCAVATION  
AND THE FLOWING PORTION OF THE STREAM. FOR SITE 1; SITE 2  
WE WILL LEAVE THE NATURALLY ACCUR'G LOW SPOTS  
UNDISTURBED.

By my signature, I attest to the following:

- 1) All statements made in this Stream Protection Plan form are correct, complete and true to the best of my knowledge.
- 2) I or the company I am authorized to represent intend(s) to protect the stream environment and remove sand and gravel in accordance with this plan, and in accordance with The Land Reclamation Act, Sections 444.760 through 444.790, RSMo (Supp. 2001), and all rules, regulations, orders, decisions, and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operation.
- 3) I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no right to grant such access, I have attached signed affidavits from the landowners granting such access.

SIGNATURE OF APPLICANT ▶ <i>Carl D. Klich</i>		TITLE OWNER	DATE 5-24-04
NOTARY PUBLIC EMBOSSE OR BLACK INK RUBBER STAMP SEAL	STATE Missouri	COUNTY (OR CITY OF ST. LOUIS) Cole	
	SUBSCRIBED AND SWORN BEFORE ME, THIS 24 <sup>th</sup> DAY OF May YEAR 2004		USE RUBBER STAMP IN CLEAR AREA BELOW.
	NOTARY PUBLIC SIGNATURE <i>Priscilla A. Hoelscher</i>	MY COMMISSION EXPIRES Dec. 3, 2004	PRISCILLA A. HOELSCHER NOTARY PUBLIC STATE OF MO. COUNTY OF COLE MY COMMISSION EXPIRES: DECEMBER 3, 2005
	NOTARY PUBLIC NAME (TYPED OR PRINTED) Priscilla A. Hoelscher		

ARTMENT USE ONLY

APPROVED BY ▶ <i>[Signature]</i>	DATE APPROVED 5-24-04	PERMIT NUMBER 0943
PERMIT NUMBER	SITE NUMBER AND/OR NAME 1 + 2	

Attach the following documents to the Stream Protection Plan form:

**I. LOCATOR MAP - two copies required.**

The map must be of sufficient scale to locate and distinguish the permit boundary from other mine sites in the area. Please mark the access route from the nearest public road to the site so that our inspector can visit the mine. The locator map may be prepared on an original or clearly copied Missouri Highway Department County map, United States Geological Survey (USGS) 7-minute topographic map (map scale 1" = 2,000'), county assessor map or **an up-to-date county ownership plat**. In general, operators submit an up-to-date county ownership plat map to satisfy adjacent property owner notification letter requirements.

**The locator map must show the following:**

1. The permit area in relation to state or county roads and towns or cities in the general area.
2. North arrow, and map scale.
3. Company name, county, mine or site name, legal description (section, township, range), date of map preparation, and preparer's name.

**II. DETAIL MAP - two copies required.**

The Detail Map must be at scale of one inch to six hundred sixty feet (1" = 660') or larger (for example, 1" = 400', 1" = 200'). An original or clearly copied, up-to-date Agricultural Stabilization Conservation Service (ASCS) aerial photo (1" = 660') may be used as a base map.

**The Detail Map must show the following:**

1. The permit boundary. When submitting a long-term Stream Protection Plan, the boundary of the long-term Stream Protection Plan area must be identified on the detail map. The acreage associated with each boundary must be illustrated on the detail map.
2. Property lines and names of landowners, owners of surface and subsurface rights within the Stream Protection Plan area and names of all owners of adjacent properties.
3. Approximate positions of public roads located in or within one hundred feet (100') of the permit area.
4. The location terraces, waterways, and diversions within the Stream Protection Plan area.
5. The location of acreage within the Stream Protection Plan boundary.
6. Company name, permit number, county, site name or number, legal description (section, township, and range), date of map preparation, preparer's name, north arrow, and map scale.
7. Creeks or streams in or within one hundred feet (100') of the permit area.
8. Areas within the permit boundary mined prior to August 28, 1990.
9. Locations of abandoned underground or surface mines in, or adjacent to, the permit area.
10. Locations of acid or toxic-forming materials.
11. Positions of erosion and sediment control devices or structures.
12. Location of any structures (buildings, etc.) and natural or cultural features that require protection.

PERMIT NUMBER

0943

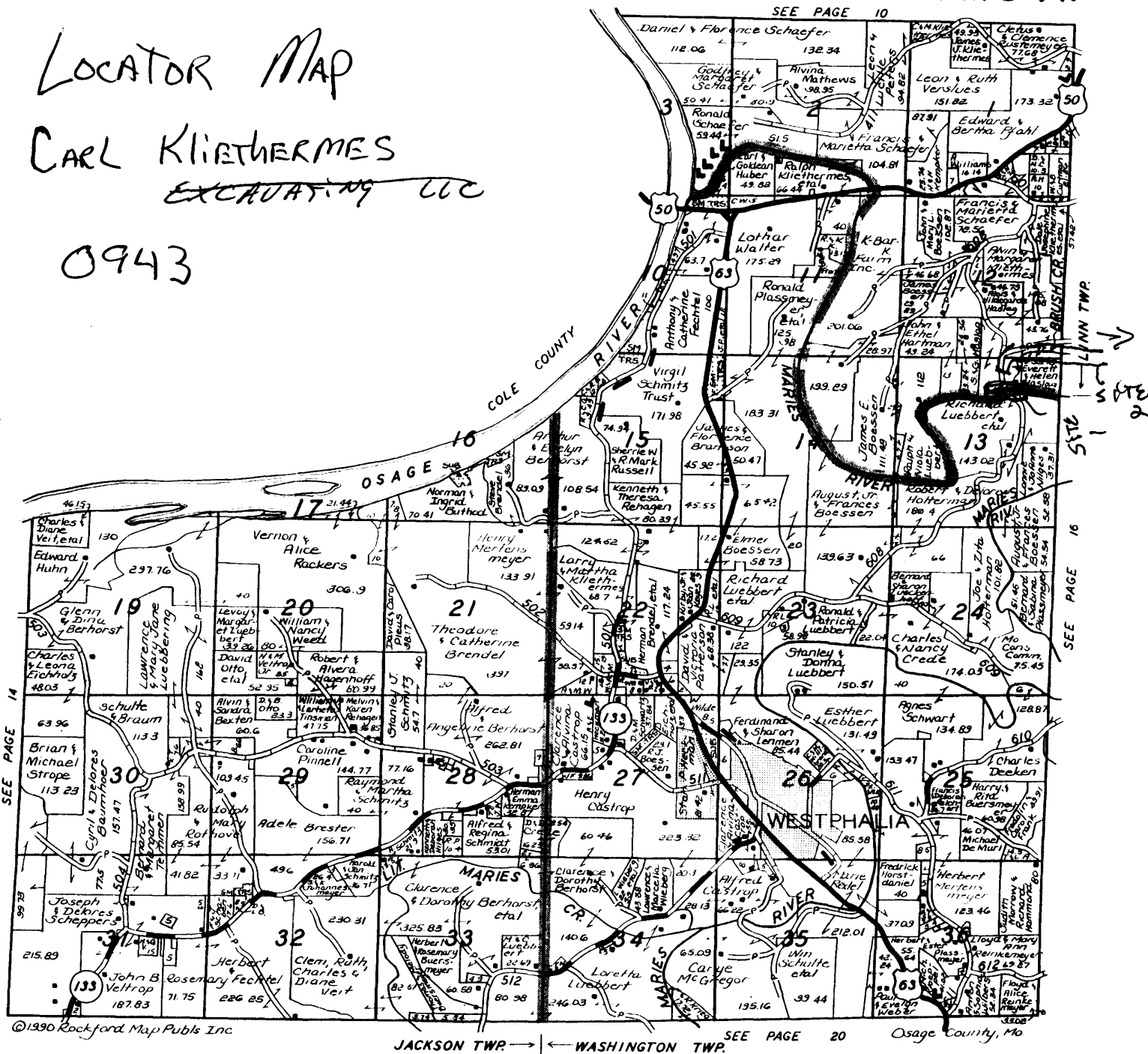
SITE NUMBER AND/OR NAME

1 + 2

0943

T.43N.-R.10W.

SEE PAGE 10



OSAGE COUNTY

Site 1 - S-13, T-43N R-10W MARIES RIVER

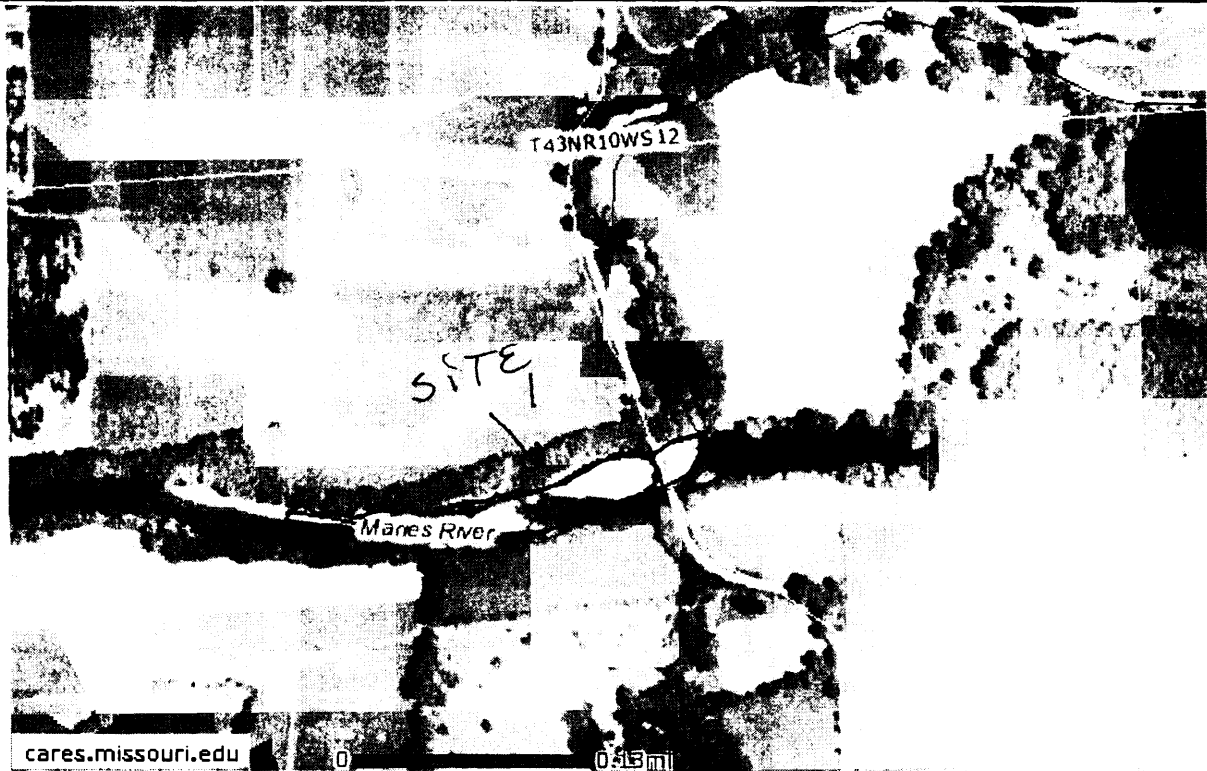
Site 2 S-12, 13, F43N R-10W

S-7 T-43N R-9W

S-8 T-43N R-9a

ВІЗУСН СЛК.

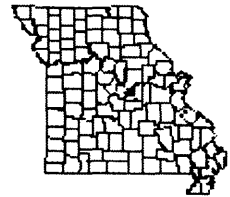


**T43N,R10W,Sec.13 - 3 acres****Legend****Roads and Highways**

- Interstate
- U.S. Highway
- State Numbered Highway
- State Lettered Highway
- Principal Road
- Road or Street
- Private Road or Drive
- Public Land Survey Lines
- Section Boundary
- Land Grant Boundary
- (cont)

**Township Boundary****State Boundary****Artificial Boundary****NHD Rivers and Streams**

- Perennial Stream/River
- Intermittent Stream/River
- Canal or Ditch
- Artificial Path (Approx. Centerline)
- Other Hydrologic Feature
- 2003 Aerial Photos (DOQQs)

**Location Map**

Map prepared by  
<http://cares.missouri.edu>  
 5/24/2004.

CARL KLIETHERMIES

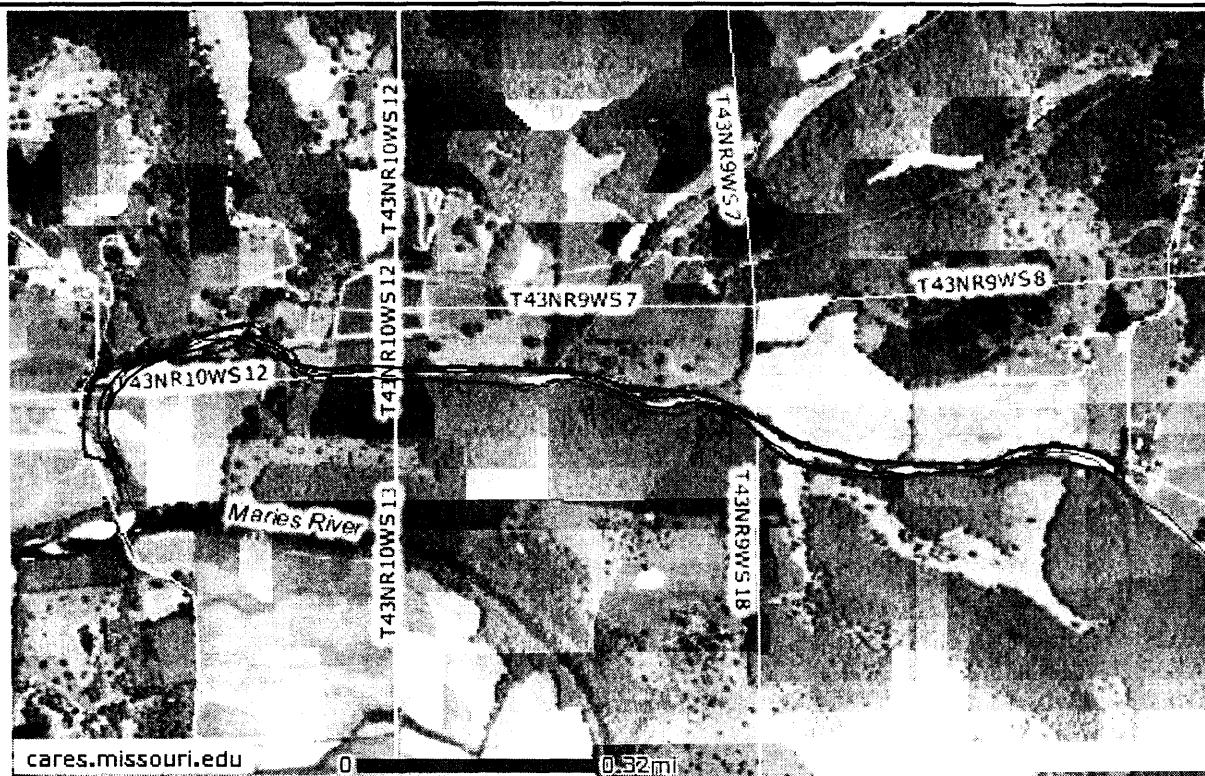
PERMIT# 0943

SITE 1

OSAGE CO.



## site 2 - 20 Acres



### Legend

#### Roads and Highways

- Interstate
- U.S. Highway
- State Numbered Highway
- State Lettered Highway
- Principal Road
- Road or Street
- Private Road or Drive
- Public Land Survey Lines
- Section Boundary
- Land Grant Boundary (cont)

#### Township Boundary

#### State Boundary

#### Artificial Boundary

#### NHD Rivers and Streams

- Perennial Stream/River
- Intermittent Stream/River
- Canal or Ditch
- Artificial Path (Approx. Centerline)
- Other Hydrologic Feature

2003 Aerial Photos (DOQQs)

### Location Map



Map prepared by  
<http://cares.missouri.edu>  
 5/24/2004.

CARL KLIETHERMERS  
 PERMIT# 0943  
 OSAGE COUNTY

T 249